

AGENDA

REGULAR MEETING OF THE CITY COUNCIL

City of Garland

Council Chambers, City Hall

200 North Fifth Street, Garland, Texas

August 16, 2011

7:00 p.m.

The City Council extends to each visitor a sincere welcome. We value your interest in your community and your participation in the meetings of this governing body. Regular meetings of the City Council are held the 1st and 3rd Tuesdays of each month, beginning at 7:00 p.m.; the City Council meets regularly in work sessions at 6:00 p.m. the Monday preceding each regular meeting.

The Garland City Hall and Council Chambers are wheelchair accessible. Special parking is available on the north side of City Hall and the building may be accessed by a sloped ramp from the parking area to the door facing Fifth Street. Persons with disabilities who plan to attend this meeting and who may need auxiliary aids or services must contact the City Secretary's Office at (972) 205-2403 at least two working days prior to the meeting so that appropriate arrangements can be made. **BRaille IS NOT AVAILABLE.**

CITY COUNCIL GOALS 2020

(Adopted by Resolution No. 9402 on December 20, 2005)

- **Sustainable quality development and redevelopment**
- **Financially stable government with tax base that supports community needs**
- **Defends rightful powers of municipalities**
- **Fully informed and engaged citizenry**
- **Consistent delivery of reliable City services**
- **Safe, family-friendly neighborhoods**
- **Embrace diversity**

CONSENT AGENDA

All items under this section are recommended for approval by a single motion of Council, without discussion. Council has been briefed on these items at a previous work session and approval of the consent agenda authorizes the City Manager to implement each item. The Mayor will announce the agenda and provide an opportunity for members of the audience and the City Council to request that an item be removed and considered separately.

1. Consider approval of the minutes of the August 2, 2011 Regular Meeting.

2. Consider approval of the following bid:

Closed Circuit Television Lighting

Bid No. 2471-11

CUES, Inc.

\$122,696.79

This request is for the purchase of lighting and camera equipment to be used by the Water Department for video inspection of water and sewer lines.

3. A public hearing was previously conducted for the following zoning case. Council approved the request and instructed staff to bring forth the following ordinance for consideration.

Zoning File No. 11-19, Fourth Avenue Investments

Consider an ordinance amending the zoning laws of the City of Garland by approving a change of zoning from Planned Development (PD) District 85-49 for Multi-Uses (Light Industrial, Multi-Family, and Office) to a Planned Development (PD) District for Single Family Uses and a Concept Plan on a 20.610-acre tract located north of Belt Line Road, east of Wagon Wheel Road, and southwest of North Garland Avenue.

4. **Consider a resolution authorizing the City Manager to execute a Mutual Aid Agreement between and among the participating local governments identified therein.**

Dallas County Fire Chiefs Association has drafted a Dallas County Mutual Aid Agreement that defines mutual aid provisions for Dallas County Fire Chiefs Association members. The terms of the proposed agreement do not adequately address the City's concerns as to its discretion to designate assistance or to provide or withdraw assistance. At the August 1, 2011 Work Session, Council considered a resolution that authorizes the City Manager to execute the agreement and provides limitations and conditions on the terms under which the City of Garland may participate in the mutual aid assistance program.

5. **Consider an ordinance approving a negotiated resolution between the Atmos Cities Steering Committee and Atmos Energy Corp., Mid-Tex Division regarding the Company's fourth rate review mechanism filing in all cities exercising original jurisdiction; declaring existing rates to be unreasonable; adopting tariffs that reflect rate adjustments consistent with the negotiated settlement and finding the rates to be set by the attached tariffs to be just and reasonable; requiring the company to reimburse cities' reasonable ratemaking expenses; determining that this ordinance was passed in accordance with the requirements of the Texas Open Meetings Act; requiring delivery of this ordinance to the company and the Steering Committee's legal counsel; providing a savings clause; a severability clause; and providing an effective date.**

At the August 15, 2011 Work Session, Council was scheduled to consider an ordinance approving Atmos Energy Mid-Tex Division (Atmos) rate tariffs that reflect the negotiated rate changes pursuant to the Rate Review Mechanism (RRM) process. On or about April 1, 2011, Atmos filed an application with the City to increase natural gas rates pursuant to the trial RRM tariffs seeking a revenue increase of \$15.7 million. This is Atmos' fourth annual RRM filing. The Atmos Cities Steering Committee worked with Atmos and negotiated a reduced revenue increase of \$6.6 million that will result in a smaller rate increase.

ITEMS FOR INDIVIDUAL CONSIDERATION

Speaker Regulations:

Anyone wishing to speak for, against, or on agenda items must fill out a speaker card and give it to the City Secretary before speaking (cards located at the entrance to the Council Chambers). The Mayor will recognize speakers; he may impose a time limit and may provide for rebuttal. All comments and testimony are to be presented from the podium.

6. Hold a public hearing regarding the 2011-12 Proposed Budget.

Section 5, Article VII, of the City Charter requires that a public hearing be held on the Proposed Budget for the coming fiscal year. At the public hearing, all interested persons shall be given an opportunity to be heard for or against any item contained in the Proposed Budget. The Proposed Budget has been available for public inspection in the City libraries, City Secretary's Office, and on the City's website since August 3, 2011. A second public hearing on the Proposed Budget is scheduled for Thursday, August 25, 2011.

7. Hold a public hearing regarding the Proposed 2011-12 Tax Rate.

The Texas Property Tax Code, Section 26.05(d), provides that a governing body may not adopt a tax rate that exceeds the lower of the rollback tax rate or 103 percent of the effective rate until it has held two public hearings on the proposed increase. The 2011-12 Proposed Budget is based on a tax rate of 70.46 cents per \$100 of valuation, which does not exceed 103 percent of the effective tax rate of 71.64 cents or the rollback rate of 74.32 cents. The City, at its option, is choosing to have two public hearings on the proposed tax rate.

8. Consider appointments to Boards and Commissions.

Board members are selected for two-year terms by the City Council in August. Terms are usually staggered whereby at least half of the membership has board experience. Board members are appointed based on qualifications.

9. Citizen comments.

Persons wishing to address issues not on the agenda may have three minutes to address Council at this time. Council is prohibited from discussing any item not posted according to the Texas Open Meetings Act.

10 . Adjourn.

All Regular Council meetings are broadcast live on CGTV, Time Warner Cable Channel 16, and Verizon FIOS TV 44. Meetings are rebroadcast at 9:00 a.m. and 7:00 p.m. on Wednesday-Sunday and at 7:30 p.m. on Thursday. Live streaming and on-demand videos of the meetings are also available online at www.garlandtx.gov. Copies of the meetings can be purchased through the City Secretary's Office – audio CD's are \$1 each and DVD's are \$3 each.